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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/699,402	10/31/2000	Masahiro Matsuo	3064NG/49341	6990

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Crowell & Moring LLP  
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EXAMINER

MOORTHY, ARAVIND K

ART UNIT PAPER NUMBER

2131

DATE MAILED: 11/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/699,402

Applicant(s)

MATSUO, MASAHIRO

Examiner

Aravind K Moorthy

Art Unit

2131

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 28 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 October 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. Claims 1-23 are pending in the application.
2. Claims 1-23 have been rejected.

#### ***Response to Amendment***

3. The examiner approves the new title.

#### ***Response to Arguments***

4. Applicant's arguments, see pages 10-15, filed 6/28/04, with respect to the rejection(s) of claim(s) 1-20 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of newly found prior art references.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

**5. Claims 1-23 are rejected under 35 U.S.C. 102(e) as being anticipated by Croy et al U.S. Patent No. 6,509,908 B1.**

As to claims 1, 6 and 21, Croy et al discloses a main device linked to a network represented by the Internet [column 3, lines 49-56]. Croy et al discloses a portable remote controller device for remotely controlling the main device by means of communication [column 4, lines 7-12]. Croy et al discloses that the remote controller device includes access destination specifying means for specifying an access destination to the main device [column 4, lines 25-37]. Croy et al discloses display means for displaying information sent from the main device. Croy et al discloses that the main device includes access means for accessing the access destination specified by the remote controller device and obtaining information therefrom [column 7, lines 14-17]. Croy et al discloses information sending means for sending the information obtained by the access means to the remote controller device [column 9, lines 51-60]. As to the further limitations in claim 6, Croy et al discloses the information sending means of the main device sends the information to the remote controller device at an information sending destination after appending the identification code of the remote controller device to the information [column 4, lines 38-46]. Croy et al discloses that the remote controller device further includes display disabling means for, when the information sent from the main device to the display means is not appended with its own identification code, disabling display of the information [column 6 line 65 to column 7 line 13].

As to claim 2, Croy et al discloses that the remote controller device further includes identification code storage means for storing an identification code identifying itself [column 4, lines 38-46]. Croy et al discloses that the access destination specifying means serving as means

for sending the identification code [column 4, lines 38-46]. Croy et al suggests that the main device further includes access destination storage means for storing the identification code of the remote controller device and the access destination in a one-to-one correspondence [column 4, lines 38-46]. Croy et al discloses that the access means serving as means for accessing the access destination corresponding to the identification code of the remote controller device received [column 4, lines 38-46].

As to claim 3, Croy et al discloses that the access destination storage means serves as means for storing a mail address as the access destination [column 22, lines 14-15].

As to claims 4, 8 and 9, Croy et al discloses that the display means of the remote controller device includes title displaying means for displaying a title of the information sent from the main device [column 14, lines 27-42].

As to claims 5, 10 and 11, Croy et al discloses that the display means of the remote controller device serves as means for, when the title displayed on the title display means is specified, displaying the information corresponding to the title specified [column 14, lines 27-42].

As to claims 6, 12-15, Croy et al discloses that the information sending means of the main device sends the information to the remote controller device at an information sending destination after appending the identification code of the remote controller device to the information, as discussed above. Croy et al discloses that the remote controller device further includes display disabling means for, when the information sent from the main device to the display means is not appended with its own identification code, disabling display of the information, as discussed above.

As to claims 7 and 16-20, Croy et al discloses that the main device and the remote controller device communicate with each other by means of infrared rays [column 4, lines 8-37].

As to claim 22, Croy et al discloses receiving, by the main device from the portable remote controller device, a display switching signal [column 6 line 65 to column 7 line 13]. Croy et al discloses storing, by the main device, a setting for the portable remote controller device based on the display switching signal [column 6 line 65 to column 7 line 13]. Croy et al discloses that the determination of whether an output to the display device coupled to the main device is allowed is based on the stored setting [column 6 line 65 to column 7 line 13].

As to claim 23, Croy et al discloses storing, by the main device, a setting for another portable remote controller device based on receipt of a display switching signal from the another portable remote controller device, wherein whether an output to the display device coupled to the main device is allowed for information requested by the another portable remote controller device is based on the stored setting for the another portable remote controller device [column 6 line 65 to column 7 line 13].

*Conclusion*

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aravind K Moorthy whose telephone number is 703-305-1373. The examiner can normally be reached on Monday-Friday, 8:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R Sheikh can be reached on 703-305-9648. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Aravind K Moorthy  
October 28, 2004

  
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